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DEPARTMENT OF ENERGY
Federal Energy Regulatory Commission

[Docket No. PF14-18-000]

National Fuel Gas Supply Corporation
Empire Pipeline, Inc.;

Notice of Intent to Prepare an
Environmental Assessment for the Planned
Northern Access 2016 Project,
Request for Comments on Environmental Issues,
and Notice of Public Scoping Meetings

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of the Northern Access 2016 Project (Project) involving construction and operation of facilities by National Fuel Gas Supply Corporation (Supply) and Empire Pipeline Inc. (Empire) (collectively National Fuel) in Pennsylvania and New York. The Commission will use this EA in its decision-making process to determine whether the project is in the public convenience and necessity.

This notice announces the opening of the scoping process the Commission will use to gather input from the public and interested agencies on the project. Your input will help the Commission staff determine what issues they need to evaluate in the EA. The Commission staff will also use the scoping process to help determine whether preparation of an environmental impact statement is more appropriate for this Project based upon the potential significance of the anticipated levels of impact. Please note that the **scoping period will close on November 21, 2014.**

You may submit comments in written form or verbally. Further details on how to submit written comments are in the Public Participation section of this notice. In lieu of or in addition to sending written comments, the Commission invites you to attend the public scoping meetings scheduled as follows:

| FERC Public Scoping Meetings Northern Access 2016 Project | |
|--|--|
| Date and Time | Location |
| November 3, 2014, 7 PM | Doyle Hall St. Bonaventure University 3261 W. State St. St. Bonaventure, NY 14778 |
| November 5, 2014, 7 PM | Springville-Griffith High School 290 North Buffalo Street Springville, NY 14141 |

National Fuel staff will be available from 6:00-7:00 pm, prior to the public scoping meetings at the locations listed above.

This notice is being sent to the Commission's current environmental mailing list for this project. State and local government representatives are asked to notify their constituents of this planned project and encourage them to comment on their areas of concern.

If you are a landowner receiving this notice, a pipeline company representative may contact you about the acquisition of an easement to construct, operate, and maintain the planned facilities. The company would seek to negotiate a mutually acceptable agreement. However, if the Commission approves the project, that approval conveys with it the right of eminent domain. Therefore, if easement negotiations fail to produce an agreement, the pipeline company could initiate condemnation proceedings where compensation would be determined in accordance with state law.

A fact sheet prepared by the FERC entitled "An Interstate Natural Gas Facility on My Land? What Do I Need To Know?" is available for viewing on the FERC website (www.ferc.gov). This fact sheet addresses a number of typically asked questions, including the use of eminent domain and how to participate in the Commission's proceedings.

Summary of the Planned Project

National Fuel plans to construct and operate certain facilities in Pennsylvania and New York which collectively would provide about 350,000 dekatherms per day (Dth/d) of natural gas transportation service to the northeastern United States and Canada. Supply would provide approximately 350,000 Dth/d of new firm natural gas transportation service from a receipt point in McKean County, Pennsylvania to an interconnection with Empire's existing pipeline system in Niagara County, New York. Empire would provide approximately 350,000 Dth/d of new firm transportation service

from such Supply interconnection to Empire's existing interconnection with TransCanada Pipelines Limited.

The planned project would consist of the following Supply components:

- construction of approximately 97 miles of new 24-inch-diameter pipeline, from Sergeant Township, McKean County, Pennsylvania, to an interconnection with Supply's existing Line X-North, near Supply's existing Porterville Compressor Station in the Town of Elma, Erie County, New York;
- an addition of approximately 5,000 horsepower to Porterville Compressor Station; and
- an interconnection with Tennessee Gas Pipeline's 200 Line in the Town of Wales, Erie County, New York.

The planned Project would also consist of the following Empire components:

- construction of a 24-inch pipeline segment of approximately 4 miles, replacing 3.3 miles of existing 16-inch Supply pipeline and 0.7 miles of existing Empire pipeline in the towns of Wheatfield and Pendleton, Niagara County, New York;
- construction of a new, approximately 22,000 horsepower compressor station in the Town of Pendleton, Niagara County, New York; and
- construction of a new natural gas dehydration facility in the Town of Wheatfield, Niagara County, New York.

The general location of the planned project facilities is shown in Appendix 1.¹

¹ The appendices referenced in this notice are not being printed in the Federal Register. Copies of appendices were sent to all those receiving this notice in the mail and are available at www.ferc.gov using the link called "eLibrary" or from the Commission's Public Reference Room, 888 First Street NE, Washington, DC 20426, or call (202) 502-8371. For instructions on connecting to eLibrary, refer to the last page of this notice.

Land Requirements for Construction

National Fuel is still in the planning phase of the Project and workspace requirements have not been finalized. However, National Fuel is planning on using a 75-foot-wide construction right-of-way for the 24-inch-diameter pipeline segments. Following construction, National Fuel would retain a 50-foot-wide easement for operation of the pipelines. National Fuel would also require land for additional workspaces at road, railroad, waterbody, and wetland crossings; topsoil storage; access roads; storage or pipeyards; and for other purposes during construction. About 92 percent of the planned pipeline route parallels existing power line or pipeline rights-of-way.

The EA Process

The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from an action whenever it considers the issuance of a Certificate of Public Convenience and Necessity. NEPA also requires us² to discover and address concerns the public may have about proposals. This process is referred to as scoping. The main goal of the scoping process is to focus the analysis in the EA on important environmental issues. By this notice, the Commission requests public comments on the scope of issues to address in the EA.

In the EA, we will discuss impacts that could occur as a result of the construction and operation of the planned Project under these general headings:

- geology and soils;
- water resources and wetlands;
- vegetation and wildlife;
- fisheries and aquatic resources;
- threatened, endangered, and other special-status species;
- land use, recreation, special interest areas, and visual resources;
- socioeconomics;
- cultural resources;
- air quality and noise;
- reliability and safety; and
- cumulative environmental impacts.

We will also evaluate possible alternatives to the planned Project or portions of the Project, and make recommendations on how to lessen or avoid impacts on the various resource areas.

² “We,” “us,” and “our” refer to the environmental staff of the Commission’s Office of Energy Projects.

Although no formal application has been filed, we have already initiated our NEPA review under the Commission's pre-filing process. The purpose of the pre-filing process is to encourage early involvement of interested stakeholders and to identify and resolve issues before the FERC receives an application. As part of our pre-filing review, we participated in public open house meetings sponsored by National Fuel in the project area in August 2014 to explain the environmental review process to interested stakeholders. We have also begun to contact federal and state agencies to discuss their involvement in the scoping process and the preparation of the EA.

The EA will present our independent analysis of the issues. The EA will be available in the public record through eLibrary. Depending on the comments received during the scoping process, we may also publish and distribute the EA to the public for an allotted comment period. We will consider all comments on the EA before we make our recommendations to the Commission. We will publish and distribute the EA for public comment. To ensure we have the opportunity to consider and address your comments, please follow the instructions in the Public Participation section beginning on page 6.

With this notice, we are asking agencies with jurisdiction and/or special expertise with respect to environmental issues related to this Project to formally cooperate with us in the preparation of the EA³. Agencies that would like to request cooperating agency status should follow the instructions for filing comments provided under the Public Participation section of this notice. Currently, the U.S. Army Corps of Engineers has expressed its intention to participate as a cooperating agency in the preparation of the EA to satisfy its NEPA responsibilities related to this Project.

Consultations Under Section 106 of the National Historic Preservation Act

In accordance with the Advisory Council on Historic Preservation's implementing regulations for section 106 of the National Historic Preservation Act, we are using this notice to initiate consultation with the applicable State Historic Preservation Offices (SHPOs) and to solicit their views and those of other government agencies, interested Indian tribes, and the public on the Project's potential effects on historic properties.⁴ We will define the project-specific Area of Potential Effects (APE) in consultation with the SHPOs as the project develops. On natural gas facility projects, the APE at a minimum encompasses all areas subject to ground disturbance (examples include construction

³ The Council on Environmental Quality regulations addressing cooperating agency responsibilities are at Title 40, Code of Federal Regulations, Part 1501.6.

⁴ The Advisory Council on Historic Preservation's regulations are at Title 36, Code of Federal Regulations, Part 800. Historic properties are defined in those regulations as any prehistoric or historic district, site, building, structure, or object included in or eligible for inclusion in the National Register of Historic Places.

right-of-way, contractor/pipe storage yards, compressor stations, and access roads). Our EA for this project will document our findings on the impacts on historic properties and summarize the status of consultations under section 106.

Currently Identified Environmental Issues

We have already identified several issues that we think deserve attention based on a preliminary review of the planned facilities, comments made to us at National Fuel's open houses, preliminary consultations with other agencies, and the environmental information provided by National Fuel. This preliminary list of issues may be changed based on your comments and our analysis:

- forested areas including fragmentation;
- agricultural areas including impacts on soils;
- property values;
- surface water;
- groundwater including wells and springs;
- wildlife and vegetation;
- federal and state-listed threatened, endangered, and sensitive species;
- eminent domain; and
- cumulative impacts.

Public Participation

You can make a difference by providing us with your specific comments or concerns about the project. Your comments should focus on the potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental impacts. The more specific your comments, the more useful they will be. To ensure that your comments are timely and properly recorded, please send your comments so that the Commission receives them in Washington, DC on or before **November 21, 2014**.

For your convenience, there are three methods you can use to submit your comments to the Commission. In all instances, please reference the project docket number (PF14-18-000) with your submission. The Commission encourages electronic filing of comments and has expert staff available to assist you at (202) 502-8258 or efiling@ferc.gov.

- (1) You can file your comments electronically using the [eComment](#) feature located on the Commission's website (www.ferc.gov) under the link to [Documents and Filings](#). This is an easy method for interested persons to submit brief, text-only comments on a project;

- (2) You can file your comments electronically using the [eFiling](#) feature located on the Commission's website (www.ferc.gov) under the link to [Documents and Filings](#). With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on “[eRegister](#).” You must select the type of filing you are making. If you are filing a comment on a particular project, please select “Comment on a Filing”; or
- (3) You can file a paper copy of your comments by mailing them to the following address:

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

Environmental Mailing List

The environmental mailing list includes federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American Tribes; other interested parties; and local libraries and newspapers. This list also includes all affected landowners (as defined by the Commission’s regulations) who are potential right-of-way grantors, whose property may be used temporarily for project purposes, or who own homes within certain distances of aboveground facilities, and anyone who submits comments on the project. We will update the environmental mailing list as the analysis proceeds to ensure that we send the information related to this environmental review to all individuals, organizations, and government entities interested in and/or potentially affected by the planned project.

If we publish and distribute the EA, copies will be sent to the environmental mailing list for public review and comment. **If you would prefer to receive a paper copy of the document instead of a CD version or would like to remove your name from the mailing list, please return the attached Information Request (appendix 2).**

Becoming an Intervenor

Once National Fuel files its application with the Commission, you may want to become an “intervenor” which is an official party to the Commission’s proceeding. Intervenor play a more formal role in the process and are able to file briefs, appear at hearings, and be heard by the courts if they choose to appeal the Commission’s final ruling. An intervenor formally participates in the proceeding by filing a request to intervene. Instructions for becoming an intervenor are in the User’s Guide under the “e-filing” link on the Commission’s website. Please note that the Commission will not

accept requests for intervenor status at this time. You must wait until the Commission receives a formal application for the project.

Additional Information

Additional information about the project is available from the Commission's Office of External Affairs, at **(866) 208-FERC**, or on the FERC website (www.ferc.gov) using the eLibrary link. Click on the eLibrary link, click on "General Search" and enter the docket number, excluding the last three digits in the Docket Number field (i.e., PF14-18). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at FercOnlineSupport@ferc.gov or toll free at (866) 208-3676, or for TTY, contact (202) 502-8659. The eLibrary link also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to <http://www.ferc.gov/docs-filing/esubscription.asp>.

Public meetings or site visits will be posted on the Commission's calendar located at www.ferc.gov/EventCalendar/EventsList.aspx along with other related information.

Dated: October 22, 2014.

Kimberly D. Bose,
Secretary.